

Attorney Docket No. 10559-270001
Application No. 09/675,816
Amendment dated June 1, 2004
Reply to Office Action dated January 29, 2004

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

The pending claims stand rejected under 35 USC 102 as allegedly being unpatentable over the Hennessy reference. This contention, however, is respectfully traversed, and it is respectfully suggested that the rejection actually reads much more into the single figure of the Hennessy reference than actually is disclosed thereby.

The rejection is based on page 414 of the Hennessy reference and the single figure shown on that page. However, it appears that the single figure merely shows an instruction register connected to registers, and ALU 2. Multiplexers are provided to multiplex the inputs to the ALUs. However, nowhere is there any teaching or suggestion of the specific parts that are claimed.

The rejection states that Hennessy determines the kind of the instruction from the opcode, and forwards signals based on the kind of instruction that is present. The rejection attempts to interpret the first destination as the ALU and the register file as the second destination. However, notice in Hennessy

Attorney Docket No. 10559-270001
Application No. 09/675,816
Amendment dated June 1, 2004
Reply to Office Action dated January 29, 2004

that all of the outputs from the instruction register actually go to the register, and then to the ALU. Therefore, it does not appear from the figure that there are actually first and second destinations for the instruction. Moreover, nowhere in figure 548 is there an actual teaching of determining the first destination and the second destination. The cited reference just shows a picture with connections; and teaches nothing about the "determining...".

The second portion of claim 1 requires re-encoding only a portion of the instruction used for the first destination and forwarding that re-encoded instruction to the first destination. The rejection states that the control unit in Hennessy "has to" both decode the opcode to determine what kind of instruction is, and also "the control instructions to be sent to operate the ALU control". However, nowhere is there any teaching or suggestion in Hennessy that supports this statement. Clearly Hennessy needs to decode the opcode. However, there is no teaching or suggestion of re-encoding any "control instructions". Rather, presumably the instruction register carries out any control which is necessary based on the opcode. The contention that something is re-encoded is apparently based on hindsight, since the single figure does not teach this. In any case, and

Attorney Docket No. 10559-270001
Application No. 09/675,816
Amendment dated June 1, 2004
Reply to Office Action dated January 29, 2004

whatever may be happening in Hennessy, clearly there is not any re-encoding, of the type claimed.

Finally, claim 1 requires forwarding a different portion of the instruction without re-encoding, to the second destination. The rejection alleges that the instruction sent to the second destination are not re-encoded. However, it appears that the same outputs go both to the first destination and to the second destination. Therefore, either they are re-encoded or they are not re-encoded, but they cannot be both. In any case, there is no teaching or suggestion that a portion of the instruction is re-encoded and another portion is not. Quite simply, this is based entirely on hindsight, and not based on what is taught or suggested by the Hennessy reference.

Claim 8 define analogous limitations, which are not taught or suggested by the cited prior art. Claim 8 further define additional functional units which are further patentable over the cited reference.

Each of the claims should be allowable for analogous reasons.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition,

Attorney Docket No. 10559-270001
Application No. 09/675,816
Amendment dated June 1, 2004
Reply to Office Action dated January 29, 2004

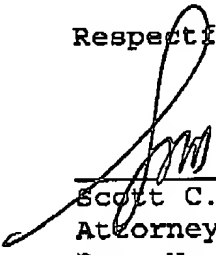
because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

Please apply any charges or credits to Deposit Account
No. 06-1050.

Respectfully submitted,

Date: 06/01/2004



Scott C. Harris
Attorney for Intel Corporation
Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer Number: 20985
4350 La Jolla Village Drive, Suite 500
San Diego, CA 92122
Telephone: (858) 678-5070
Facsimile: (858) 678-5099
10400990.doc